



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 7**

11201 Renner Boulevard  
Lenexa, Kansas 66219

May 12, 2021

**VIA ELECTRONIC MAIL**

Ms. Susan M. Myers  
General Counsel  
Metropolitan St. Louis Sewer District  
2350 Market Street  
St. Louis, Missouri 63103-2555  
[smyers@stlmsd.com](mailto:smyers@stlmsd.com)

Re: West Lake Landfill Superfund Site, Bridgeton, Missouri  
CERCLA Request for Information

Dear Ms. Myers:

Pursuant to Section 104(e)(2) of the Comprehensive Environmental Response, Compensation, and Liability Act, or CERCLA, 42 U.S.C. § 9604(e)(2), the U.S. Environmental Protection Agency seeks the cooperation of the Metropolitan St. Louis Sewer District (MSD) in providing information and documents related to MSD's Wastewater Treatment Plant operations in St. Louis and the West Lake Landfill Superfund Site located in Bridgeton, St. Louis County, Missouri, or site. Under CERCLA, the EPA has broad information gathering authority which allows the EPA to require persons to furnish information or documents regarding: 1) the ability of potentially responsible parties to assist in paying for or performing a clean-up of a site; 2) the identification, nature, and quantity of materials which have been or are generated, treated, stored, or disposed of or transported to a site; and 3) the nature or extent of the release or threatened release of hazardous substances, pollutants, or contaminants at a site.

The site consists of several inactive landfills, including the West Lake Landfill and the Bridgeton Landfill. Originally used for agriculture, the land became a limestone quarrying and crushing operation in 1939. Beginning in the early 1950s, portions of the quarried areas and adjacent areas were used to dispose of municipal refuse, industrial solid wastes, and construction/demolition debris. In 1973, a mixture of 8,700 tons of leached barium sulfate residues and approximately 38,000 tons of soil was brought to the Site. These materials, which contained radionuclides, were used as fill and cover for landfilling operations. In 1990, the EPA listed the site on the National Priorities List under CERCLA. The agency listed the entire 200-acre facility and has since divided it into three areas referred to as Operable Units. Operable Unit 1 contains radiologically-impacted material, or RIM. Operable Unit 2 does not contain radiological material. Operable Unit 3 will address site-wide groundwater. Additional information about the site can be found at [www.epa.gov/superfund/westlakelandfill](http://www.epa.gov/superfund/westlakelandfill).

We encourage MSD to give this matter its immediate attention and request that MSD provide a complete and truthful response to this Information Request and enclosed questions within thirty (30) days of your



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receipt of this letter. Note that false, fictitious, or fraudulent statements or representations may subject MSD to civil or criminal penalties under federal law. MSD's response to this Information Request should be mailed or electronically transmitted to:

Alyse Stoy  
Acting Deputy Regional Counsel  
Office of Regional Counsel  
U.S. Environmental Protection Agency, Region 7  
11201 Renner Boulevard  
Lenexa, Kansas 66219  
stoy.alyse@epa.gov

Some of the information the EPA is requesting may be considered by MSD to be confidential. Please be aware that MSD may not withhold the information upon that basis. If MSD wishes the EPA to treat the information as confidential, it must advise the EPA of that fact by following the procedures outlined in the enclosed instructions, including the requirement for supporting the claim of confidentiality.

If MSD has information about other persons or entities who may have information which may assist the EPA in its investigation of the site or who may be responsible for the contamination at the site, that information should be submitted within the time frame noted above. This Information Request is not subject to the approval requirements of the Paperwork Reduction Act of 1980, 44 U.S.C. § 3501 et seq.

If you have any questions about this Information Request, please contact Alyse Stoy at 913-551-7826 or at stoy.alyse@epa.gov. We appreciate and look forward to your prompt response.

Sincerely,

Lynn M. Juett, Chief  
Site Remediation Branch  
Superfund and Emergency Management Division

Enclosures

## **Instructions for Information Request**

1. Answer Every Question Completely. A separate response must be made to each of the questions set forth in this Information Request. For each question contained herein, if information responsive to this Information Request is not in your possession, custody, or control, please identify the person(s) from whom such information may be obtained.
2. Number Each Answer. Precede each answer with the corresponding number of the question and the subpart to which it responds.
3. Provide the Best Information Available. Provide responses to the best of your ability, even if the information sought was never put down in writing or if the written documents are no longer available. You should seek out responsive information from current and former employees/agents. Submission of cursory responses when other responsive information is available will be considered non-compliance with this Information Request.
4. Continuing Obligation to Provide/Correct Information. If additional information or documents responsive to this Information Request become known or available to MSD after it has responded to this Information Request, the EPA hereby requests, pursuant to CERCLA Section 104(e), that MSD supplement its response to the EPA.
5. Confidential Information. The information requested herein must be provided even though MSD may contend that it includes confidential business information or trade secrets. MSD may assert a CBI claim covering part or all of the information requested, pursuant to Section 104(e)(7) of CERCLA, 42 U.S.C. § 9604(e)(7) and 40 C.F.R. § 2.203(b). If a CBI claim does not accompany the information submitted to EPA, then the Agency may make the information available to the public without further notice. See 40 C.F.R. § 2.203(c).

To make a confidentiality claim, please stamp, or type, “claimed as confidential business information,” “claimed as CBI,” or “trade secret” on all information claimed as CBI and any related CBI documents. CBI-claimed portions of otherwise non-confidential documents should be clearly identified. Indicate a date, if any, after which the information need no longer be treated as confidential. Submit your response so that all non-confidential information, including any redacted versions of documents are in one envelope or electronic folder and all materials for which you desire confidential treatment are in another envelope or electronic folder.

All confidentiality claims are subject to EPA verification. If EPA reviews your CBI claim(s), then EPA may send a notice to your business and ask you to submit additional information to substantiate the CBI claim(s). See 40 C.F.R. § 2.204(e). In your substantiation, it is important that you satisfactorily demonstrate that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so and that it is not and has not been obtainable by legitimate means without your consent. Information covered by such claim will be disclosed by the EPA only to the extent, and only by the means of the procedures, provided in 40 C.F.R. §§ 2.201-2.311.

6. Disclosure to EPA Contractor. Information submitted in response to this Information Request may be disclosed by the EPA to authorized representatives of the United States, pursuant to 40 C.F.R. § 2.310(h), even if it is asserted that all or part of it is confidential business information. Please be advised that the EPA may disclose all responses to this Information Request to one or more of its private contractors for the purpose of organizing and/or analyzing the information contained in the responses to

this Information Request. If MSD is submitting information which it asserts is entitled to treatment as confidential business information, it may comment on this intended disclosure in its response to this Information Request.

7.        **Personal Privacy Information.** Personnel and medical files, and similar files, the disclosure of which to the general public may constitute an invasion of privacy, should be segregated from MSD's responses, included on separate sheet(s), and marked as "Personal Privacy Information."

8.        **Objections to Questions.** If MSD has objections to some or all the questions within the Information Request, it is still required to respond to each of the questions.

## Questions

1. Please generally describe the waste treatment process(es) at the Bissell Point Treatment Plant and identify all wastes streams generated as a result of that process between 1970 and 2005. Generally describe the locations where all such waste streams were disposed. In addition, please describe with specificity the history, time frames and practices associated with waste stream disposals to the West Lake Landfill.
2. Please provide copies of all permits issued to MSD pursuant to the Clean Water Act between 1970 and 2005 for the Bissell Point Treatment Plant. Specifically identify all requirements contained in such permits that relate to the treatment and disposal of incinerator ash, sludges, and other sewage wastes generated at the Bissell Point Treatment Plant.
3. Please specifically identify all wastes generated by MSD set forth in the response to Question #1 that were disposed of at the West Lake Landfill. In your response please specifically describe:
  - a. the type of wastes;
  - b. amounts;
  - c. dates of transportation and disposal;
  - d. methods of transportation;
  - e. identification of the transporter(s) of such wastes; and
  - f. statement of who selected the West Lake Landfill as the disposal site.
4. Please provide all documentation related to the treatment, storage, and disposal of wastes that were disposed of at the West Lake Landfill identified in your response to Question #3. Specifically include all documentation with external parties as well as internal MSD communications about disposal of wastes at the West Lake Landfill.
5. Please provide all analytical data from environmental samples collected from all wastes disposed of at the West Lake Landfill identified in your response to Question #3, including radionuclides such as radium and thorium.
6. Please describe all wastes generated by Mallinckrodt and discharged into the MSD sewer system. Specifically include a description of the wastes and method of discharging those wastes, the timeframe these discharges occurred, and amounts of such wastes discharged into the MSD sewer system.
7. Please describe all processes used to treat and dispose of wastes generated by Mallinckrodt and discharged into the MSD sewer system. Specifically discuss issues and/or concerns related to the discharge and MSD treatment of Mallinckrodt wastes that contained radionuclides. Include a description of any specific waste treatment processes, waste segregation, or other alternative waste disposal practices that MSD performed for waste generated by Mallinckrodt and discharged into the MSD sewer system.
8. Please provide all documentation related to discharges by Mallinckrodt into the MSD sewer system in response to Questions #6 and #7 above. This includes, but is not limited to:
  - a. Communications between MSD and other external parties (including Mallinckrodt) as well as internal MSD communications about the radiological content of Mallinckrodt's discharges;

- b. Any analytical data from environmental samples collected from such wastes; and
  - c. Documents from contractors retained by MSD related to the treatment and disposal of such wastes.
9. Please identify any other waste generators that were permitted to discharge to the MSD sewer system whose wastes were known or suspected to contain radionuclides including radium, thorium, and uranium. For each waste generator, specifically include a description of the waste and method of discharging those wastes, the timeframe these discharges occurred, and amounts of such waste discharged to the MSD sewer system.
10. Please describe the process used by MSD to treat and dispose of wastes generated by any other waste generators that were permitted to discharge to the MSD sewer system whose wastes were known or suspected to contain radionuclides including radium, thorium, and uranium. Specifically discuss issues and/or concerns related to the discharge and MSD treatment of such wastes that contained radionuclides. Include a description of any specific waste treatment processes, waste segregation, or other alternative waste disposal practices for these wastes containing radionuclides and discharged into the MSD sewer system. Specifically discuss any issues and/or concerns with the radiological content of these waste streams related to MSD's subsequent treatment processes and disposal practices.
11. Please provide all documentation related to discharges into the MSD sewer system by waste generators whose wastes were known or were suspected to contain radionuclides in response to Questions #9 and #10 above. This includes, but is not limited to:
- a. Documentation with external parties as well as internal MSD communications about the radiological content of such wastes:
  - b. Any analytical data from environmental samples collected from such wastes: and
  - c. Documents from contractors retained by MSD related to the treatment and disposal of such wastes.
12. Please provide any documentation of communications between MSD and the Nuclear Regulatory Commission and/or the Atomic Energy Commission regarding discharges of wastes containing radionuclides into the MSD sewer system, as well as communications regarding the management and/or disposal of wastes containing radionuclides by MSD.